

MEMO ENDORSED

JOSEPH, TERRACCIANO & LYNAM, LLP

ATTORNEYS AT LAW
2 ROOSEVELT AVENUE, SUITE 200
SYOSSET, N.Y. 11791
(516) 496-0202
FACSIMILE: (516) 921-7785
WWW.JTESQS.COM

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/3/2021

JAMES N. JOSEPH, ESQ.
PETER J. TERRACCIANO, ESQ.
JANINE T. LYNAM, ESQ.

SETH A. ESCHEN, ESQ.
OF COUNSEL

March 3, 2021

Via Electronic Filing

United States District Court
Southern District of New York
40 Foley Square, Room 240
New York, New York 10007

Attention: Valerie Caproni, United States District Judge

Re: **Global Capital Partners Fund LLC v. We Would Agricultural Holdings LP**
Civil Case No.: 21-cv-490

Dear Honorable Judge Caproni:

Please be advised that this firm is counsel to the Plaintiff, Global Capital Partners Fund LLC in the above referenced action.

We previously received your Notice of Initial Pre-Trial Conference Order filed on January 21, 2021. Pursuant to your Order, the parties were directed to submit a joint letter with a proposed case management plan by March 4, 2021. Yesterday, it was our intention to submit a letter requesting an extension of this time frame, however our internet service was down in a regional outage from yesterday afternoon until this morning. Our request was based on the fact that the sole Defendant, We Would Agricultural Holdings LP was not yet served.

This morning we walked in to an email response to our follow-up request to our process server indicating that the Defendant was finally served yesterday, but no Affidavit of Service was available yet. Since this is the only Defendant in this case and we have no method of contacting the Defendant, nor do we believe it would be appropriate to contact them at this point without giving them the opportunity to retain counsel, the submission of a proposed case management plan and joint letter appears to be unfitting.

March 3, 2021

Page Two

Accordingly, it is requested that the date for submission for the case management plan and joint letter together with the Initial Pre-Trial Conference be adjourned to allow the Defendant to retain counsel and for the parties to have an opportunity to meet and confer. If the Court is not so inclined to grant this request, Plaintiff's counsel will propose and submit a case management plan in good faith and to the best of its ability.

In recognition of your policy regarding adjournments, my apologies for this request which is received slightly later than required.

Should you have any questions or comments, please do not hesitate to contact me.

Very truly yours,
JOSEPH, TERRACCIANO & LYNAM, LLP


James N. Joseph, Esq.
JNJ/sa

Application GRANTED. The initial pretrial conference is adjourned to **April 16, 2021 at 11:00 a.m.** The parties' joint letter and proposed case management plan is due by **April 8, 2021**. The parties must appear for the hearing by dialing 888-363-4749, using the access code 3121171 and the security code 0490.

SO ORDERED.



3/3/2021

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE